

**UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF PENNSYLVANIA**

JOSEPH LODUCA,	:	Civil No. 4:23-CV-1444
	:	
Petitioner,	:	
	:	
v.	:	
	:	(Magistrate Judge Carlson)
THOMAS MCGINLEY, et al.,	:	
	:	
Respondents.	:	

ORDER

AND NOW this 5th day of February 2024, for the reasons set forth in the accompanying Memorandum Opinion, upon consideration of this Petition for Writ of Habeas Corpus, (Doc. 1), IT IS ORDERED that the Petition is DENIED, and since the petitioner has not demonstrated “a substantial showing of the denial of a constitutional right.” 28 U.S.C § 2253(c)(2); see also Buck v. Davis, 137 S. Ct. 773-75 (2017); Miller-El v. Cockrell, 537 U.S. 322, 335-36 (2003); Slack v. McDaniel, 529 U.S. 473, 484 (2000) a certificate of appealability will not issue. In addition, the petitioner’s motion for temporary restraining order, (Doc. 8), and motion seeking damages, (Doc. 21), are DENIED. The clerk is directed to CLOSE this case.

S/Martin C. Carlson
Martin C. Carlson
United States Magistrate Judge